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January 26, 2021

Via ECF

Hon. John D. Cronin
U.S. District Court
Daniel Patrick Moynihan US Courthouse
500 Pearl St.
New York, NY 10007

Re: *Gonzalez et al. v. Penn Station Shoe Repair, Inc. et al.*
20-cv-01222 (GWH)

Dear Judge Cronin:

This office represents Plaintiffs in the above captioned matter. I request permission to quickly respond to Defendants' opposition letter (dkt 53).

First, at no point has Josephine Gonzalez informed this office that she does not want to be represented in this matter. I take this ethical responsibility seriously and if a client no longer wishes to pursue this matter I would immediately withdraw them from the case. This issue should have been first brought to my attention by Defendants' counsel rather than immediately running to the Court. In any event, I have no financial interest in litigating a case on behalf of client who does not want to partake in this matter as I already attempted to settle this matter by not accepting any attorney fees.

Second, Defendants claim that the proposal to withdraw this matter without prejudice with respect to the state law claims was made "about 2 weeks ago." This is false. I made this request in December 2020 and it was rejected by Defendants before Christmas. Annexed as Exhibit A see e-mail correspondence between counsel. Defendants are now the ones who want to litigate a lawsuit that they themselves believe does not belong in Federal Court.

Respectfully,

/s Jacob Aronauer
Jacob Aronauer
Attorney for Plaintiffs

cc: Via ECF
All attorneys on record

EXHIBIT A



Jacob Aronauer <jaronauer@aronauerlaw.com>

Vadim - settlement discussion

4 messages

David Schrader <DSchrader@pka-law.com>
To: Jacob Aronauer <jaronauer@aronauerlaw.com>

Thu, Dec 24, 2020 at 4:21 PM

Jacob

I spoke to my client today about your proposal to resolve this case.

He rejected your proposal. He will only agree to dismiss this case if the case is dismissed with prejudice. He does not want to spend money to relitigate this case again in state court.

His proposal is that you dismiss the case with prejudice and he will agree not to seek sanctions against you and your clients. I am not thinking this will be of much interest to you.

Best

David A. Schrader
Paykin Krieg & Adams, LLP
Cell (347) 879-2345

dschrader@PKA-law.com

Jacob Aronauer <jaronauer@aronauerlaw.com>
To: David Schrader <DSchrader@pka-law.com>

Thu, Dec 24, 2020 at 4:22 PM

OK

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